

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

against

ALBERTO WILLIAM VILAR, a/k/a “Albert  
Vilar,” and GARY ALAN TANAKA,

Defendants.

)  
) S3 05 Cr. 621 (RJS)  
)  
)

) ECF CASE  
)  
)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law, Defendant Gary Alan Tanaka, by his attorneys, will move this Court before the Hon. Richard J. Sullivan, United States District Judge for the Southern District of New York, located at 500 Pearl Street, New York, New York, at a date and time to be fixed by the Court, for an Order Precluding the Government from Introducing or Otherwise Using “Tainted” Evidence, and for such other and further relief this Court deems just and proper.

Dated: July 31, 2008  
New York, New York

By: /s/ Glenn C. Colton

Glenn C. Colton (GC-2493)  
Jessica L. Margolis (JM-7786)  
WILSON SONSINI GOODRICH & ROSATI  
PROFESSIONAL CORPORATION  
1301 Avenue of the Americas – 40<sup>th</sup> Floor  
New York, New York 10019  
Tel: 212.999.5800

*Attorneys for Defendant  
Gary Alan Tanaka*